IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

FIRST APPEAL NO.695 OF 1992

Shri Mahomed Alli Abdul
Kareem Arshi & ors. : Appellants.

v/s.

The Special Land Acquisition
Officer, Metro Centre V. Panvel : Respondent.

AND

FIRST APPEAL NO.200 OF 1993

The State of Maharashtra
[Through The Special Land Acquisition
Officer, Metro Centre V Panvel
Dist Raigad. : Appellant

V/s.

Shri Mohomad Alli Abdul Kareem
Arshi & ors. : Respondents.

ALONG WITH

FIRST APPEAL NO.692 OF 1992

Shri Mahamed Alli Abdul
Karim Arshi & ors. : Appellants.

v/s.

The Special Land Acquisition
Officer, Panvel : Respondent.

AND

FIRST APPEAL NO.789 OF 1994

The State of Maharashtra
[Through The Special Land Acquisition
Officer, Metro Centre IV Panvel : Appellant

V/s.

Shri Mahamad Alli Abdul Karim
Arshi & ors. : Respondents.

ALONG WITH

FIRST APPEAL NO.679 OF 1992

Shri Mohamed Alli Abdul
Kareem Arshi & ors. : Appellants.

v/s.

The Special Land Acquisition
Officer, Panvel : Respondent.

AND

FIRST APPEAL NO.217 OF 1993

The State of Maharashtra
[Through The Special Land Acquisition
Officer, Metro Centre 5, Panvel : Appellant.

V/s.

Shri Mohamad Alli Abdul Kareem
Arshi & ors. : Respondents.

ALONG WITH

FIRST APPEAL NO.6 OF 1993

Shri Mohamad Alli Abdul
Karim Arshi & ors. : Appellants.

Versus

The Special Land Acquisition
Officer, Panvel,
Metro Centre No.IV Panvel : Respondents.

AND

FIRST APPEAL NO.21 OF 1993.

The State of Maharashtra
[Through The Special Land
Acquisition Officer, Panvel,
Metro Centre No.IV Panvel : Appellant.

versus

Shri Mohamad Alli Abdul
Karim Arshi & ors. : Respondents.

Mr.A.N.Maniyar for the claimants.
Mr.B.R.Patil, Government Pleader for the State.

CORAM : D.G.DESHPANDE,J.

DATED : 20th January 2005.

OPERATIVE ORDER.

. For the reasons separately recorded, the following order is passed :-

ORDER IN APPEAL NO.695/92 AND APPEAL NO.200/93 [LAR NO.18/87]

The Appeal filed by the State i.e. First Appeal No.200 of 1993 is partly allowed. Compensation granted to the Respondents is reduced to Rs.15/- per sq.mtr. and the State will be entitled to development charges at 15% from the amount of

compensation.

The Appeal filed by the claimants i.e. First Appeal No.695 of 1992 and the Civil Application filed by the claimants for enhancement are dismissed.

ORDER IN APPEAL NO.692/92 AND APPEAL NO.789/94 [LAR NO.397/86]

The Appeal filed by the claimants i.e. Appeal No.692 of 1992 is partly allowed. The compensation awarded to the claimants for the acquired land is increased to Rs.25/- per sq.mtr. The Civil Application filed by the claimants for enhancement does not survived in view of this order.

The Appeal filed by the State i.e. First Appeal No.789 of 1994 is partly allowed. The State will be entitled to development charges at 15% from the amount of compensation.

ORDER IN APPEAL NO.679/92 AND APPEAL NO.217/93 [LAR NO.17/87]

The Appeal filed by the State i.e. First Appeal No.217 of 1993 is partly allowed. Compensation granted to the Respondents is reduced to Rs.15/- per sq.mtr. and the State will be entitled to development charges at 15% from the amount of compensation.

The Appeal filed by the claimants i.e. First Appeal No.679 of 1992 and the Civil Application filed by the claimants for enhancement are dismissed.

ORDER IN APPEAL NO.6/93 AND APPEAL NO.21/93 [LAR NO.405/86]

The Appeal filed by the State i.e. First Appeal No.21 of 1993 is partly allowed. Compensation granted to the Respondents is reduced to Rs.13/- per sq.mtr. and the State will be entitled to development charges at 15% from the amount of compensation.

The Appeal filed by the claimants i.e. First Appeal No.6 of 1993 and the Civil Application filed by the claimants for enhancement are dismissed.

There will be no order as to costs either in the appeals of the State or of the claimants.

[D.G.DESHPANDE]

20/01/2005 **JUDGE.**